

## **REMARKS**

Applicant respectfully requests allowance of the subject application. Claims 1-17, 19-32, 34-42, and 44-47 are pending, of which claim 1 is amended. Applicant respectfully traverses the rejections and requests that the Office allow all pending claims.

### **The Rejections**

Claims 45-47 stand rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter.

Claims 1-10, 12, 14-17, 19-28, 30-32, 34-42, and 44-47 stand rejected under 35 U.S.C. §102(b) as being anticipated by “SMIL 2.0 XML for Web Multimedia” by Lloyd Rutledge (hereinafter, “SMIL”). Applicant respectfully traverses the rejection.

Claims 11, 13, and 29 stand rejected under 35 U.S.C. §103(a) as being unpatentable over SMIL in view of “Integrating SMIL Timing into other XML-Based Languages” (hereinafter, “SMIL99”). Applicant again respectfully traverses the rejection.

### **§101 Rejections**

Claims 45-47 stand rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. During the interview, Applicant understood the Office to state that if the term “multimedia device” were shown to comprise hardware, then the Office would withdraw the rejection. Applicant respectfully submits that, in claims 45-47 of the present application, the term “multimedia device” corresponds to

hardware. For support, Applicant directs the Office's attention to page 12, line 1 through page 14, line 16 of Applicant's specification, as well as Applicant's Fig. 3.

Applicant therefore respectfully requests that the Office withdraw the rejection.

**§102(b) Rejections based on SMIL**

**Claim 1** has been amended and, as amended, recites a method performed by a computer comprising (emphasis added):

- referencing one or more multimedia objects through a first set of one or more elements;
- *referencing at least a portion of the first set of one or more elements to one or more elements in a second set of one or more elements;* and
- arranging the second set of one or more elements to indicate timing for the multimedia objects referenced by the first set of one or more elements.

In making out a rejection of claim 1, the Office states that SMIL discloses each and every element of the claim. Applicant respectfully disagrees. Nevertheless, for the sole purpose of advancing prosecution and without conceding the propriety of the rejection, Applicant has amended this claim to recite "*referencing at least a portion of the first set of one or more elements to one or more elements in a second set of one or more elements*". (emphasis added). Applicant respectfully submits that the Office at least fails to show how SMIL discloses the added language of this claim. While no agreement was reached during the above-referenced interview, the Examiners were receptive to

Applicant's contention and encouraged Applicant to submit the amendment in writing.

For at least this reason, Applicant respectfully submits that this claim stands allowable.

**Dependent claims 2-10, 12, 14-17** depend from independent claim 1. Each of these claims is therefore allowable by virtue of this dependency, as well as for the additional features that each recites.

**Claim 19** recites a method performed by a computer comprising:

- referencing one or more multimedia objects through a first set of one or more elements in a first document;
- associating the first set of one or more elements in the first document to a second set of one or more elements in a second document; and
- arranging the second set of one or more elements of the second document to indicate timing for the multimedia objects referenced by the first set of one or more elements in the first document.

In making out a rejection of this claim, the Office states that SMIL discloses each and every element of the claim. Applicant respectfully disagrees. Specifically, Applicant respectfully submits that the Office at least fails to show how SMIL discloses “associating the first set of one or more elements in the first document to a second set of one or more elements in a second document”, nor does the Office show a “first...[and] second document” at all. During the above-referenced interview, Applicant understood the Office to agree. Applicant again thanks the Office for this indication.

For at least this reason, this claim stands allowable.

**Dependent claims 20-28 and 30-32** depend from independent claim 19. Each of these claims is therefore allowable by virtue of this dependency, as well as for the additional features that each recites.

**Claim 34** recites a multimedia device comprising:

- a processor; and
- instructions stored in a memory and executable on the processor configured to associate a first document with a second document through a first set of elements in the first document and a second set of elements in the second document, wherein the first set of elements reference multimedia objects and the second set of elements are arranged to provide a rendition timing for the multimedia objects.

In making out a rejection of this claim, the Office states that SMIL discloses each and every element of the claim. Applicant respectfully disagrees. Specifically, Applicant respectfully submits that the Office at least fails to show how SMIL discloses “instructions stored in a memory and executable on the processor configured to associate a first document with a second document through a first set of elements in the first document and a second set of elements in the second document”, nor does the Office show a “first...[and] second document” at all. During the above-referenced interview, Applicant understood the Office to agree. Applicant again thanks the Office for this indication.

For at least this reason, this claim stands allowable.

**Dependent claims 35-39** depend from independent claim 34. Each of these claims is therefore allowable by virtue of this dependency, as well as for the additional features that each recites.

**Claim 40** recites one or more computer-readable media carrying data structures comprising:

- a first content document formatted in a textual markup language having tagged elements that reference one or more multimedia objects; and
- a timing document formatted in a textual markup language having a plurality of tagged elements; at least some of the tagged elements of the timing document referencing the elements of the first content document; and the tagged elements of the timing document specifying rendition timings for the multimedia objects referenced by the tagged elements of the first content document.

In making out a rejection of this claim, the Office states that SMIL discloses each and every element of the claim. Applicant respectfully disagrees. Specifically, Applicant respectfully submits that the Office at least fails to show how SMIL discloses “a first content document” and “a timing document”, as recited in Applicant’s claim. During the above-referenced interview, Applicant understood the Office to agree. Applicant again thanks the Office for this indication.

For at least this reason, this claim stands allowable.

**Dependent claims 41-42** depend from independent claim 40. Each of these claims is therefore allowable by virtue of this dependency, as well as for the additional features that each recites.

**Claim 44** recites one or more computer-readable media carrying data structures comprising:

- a first document formatted in a textual markup language having a plurality of tagged elements responsive to events; and

- a second document formatted in a textual markup language having a plurality of tagged elements; at least some of the tagged elements of the second document referencing the events affecting the tagged elements of the first document, wherein the tagged elements of the second document specify rendition timings for multimedia objects that are referenced by the tagged elements of the first document.

In making out a rejection of this claim, the Office states that SMIL discloses each and every element of the claim. Applicant respectfully disagrees. Specifically, Applicant respectfully submits that the Office at least fails to show how SMIL discloses “a first document” and “a second document”, as recited in Applicant’s claim. During the above-referenced interview, Applicant understood the Office to agree. Applicant again thanks the Office for this indication.

For at least this reason, this claim stands allowable.

**Claim 45** recites system comprising:

- a broadcast point providing multimedia objects; and
- a multimedia device that receives the multimedia objects, a first document that references the multimedia objects, and second document that provides rendition timing for the multimedia objects.

In making out a rejection of this claim, the Office states that SMIL discloses each and every element of the claim. Applicant respectfully disagrees. Specifically, Applicant respectfully submits that the Office at least fails to show how SMIL discloses “a multimedia device that receives the multimedia objects, a first document that references the multimedia objects, and second document that provides rendition timing for the multimedia objects”, as recited in Applicant’s claim. During the above-referenced interview, Applicant understood the Office to agree. Applicant again thanks the Office for this indication.

For at least this reason, this claim stands allowable.

**Dependent claims 46-47** depend from independent claim 45. Each of these claims is therefore allowable by virtue of this dependency, as well as for the additional features that each recites.

**§103(a) Rejections based on SMIL and SMIL99**


Claims 11, 13, and 29 stand rejected under 35 U.S.C. §103(a) as being unpatentable over SMIL in view of SMIL99. Applicant again respectfully traverses the rejection. Applicant respectfully submits that each of these dependent claims depend upon an allowable base claim, as discussed above. In addition to failing to disclose Applicant's independent claims, Applicant further submits that SMIL has not been shown to teach or suggest these claims. As such, the §103(a) rejection to dependent claims 11, 13, and 29 is not seen to add anything of significance to the rejection of their respective base claims. Applicant finally note that while each of these dependent claims stand allowable by virtue of their respective dependency, each of these claims also stands allowable for the additional features that each recites.

**Conclusion**

Pending claims 1-17, 19-32, 34-42, and 44-47 are in condition for allowance. If any issues remain that preclude allowance of this application, the Examiner is urged to contact the undersigned attorney before issuing a subsequent action.

Respectfully Submitted,

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